

**AN ORDINANCE**

**BY: Councilman Jim Maddox**

**AN ORDINANCE TO AMEND THE CITY OF ATLANTA ZONING CODE; TO AMEND THE CITY OF ATLANTA ZONING MAPS; TO ENACT, BY REFERENCE AND INCORPORATION, A MAP ESTABLISHING THE BOUNDARIES FOR THE HUNTINGTON SUBDIVISION; TO MODIFY THE ZONING PROCESS FOR ANNEXATIONS; AND FOR OTHER PURPOSES.**

WHEREAS, owners of real property and resident electors in the have applied to the City of Atlanta for annexation of certain property located within the Huntington Community (Property), as more fully described in exhibit "A" attached hereto; and

WHEREAS, Zoning Procedures Law requires a municipality to complete the zoning process for Property to be annexed into the City with the exception of the final vote before the annexation of the Property; and

WHEREAS, the Property is currently zoned R-4 in Fulton County; and

WHEREAS, the City of Atlanta wishes to zone the property R-4-C with the condition that rear yard setback be set at 25 feet as set forth by Fulton county to minimize any potential impact on surrounding properties.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the property located within the Huntington Subdivision, as shown on the attached Exhibit "A", be zoned to the Residential District 4, (R-4) category with the condition that rear yard setbacks be limited to 25 feet instead of 15 feet.

Section 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in section 1 above, the Director, Bureau of Buildings, shall issue a building permit only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District Regulation variances can be approved only by the Board of Zoning Adjustment.

Section 3. That the official zoning maps of the City of Atlanta be changed to conform

with the terms of this Ordinance.

**Section 4.** That the Director of the Bureau of Planning schedule a hearing before the Zoning Review Board at the next available meeting in accordance with State Law.

**Section 5.** All ordinances or parts of ordinances in conflict with the terms of this Ordinance are hereby waived to the extent of the conflict.

# HUNTINGTON ANNEXATION AREA

